

Samoa, Guam, Wake Island, Eniwetok Atoll, Kwajalein Atoll, Johnston Island, and Canton Island, but shall not include any other territory under the jurisdiction of the United States or any United States base or possession within a foreign country.

(Pub. L. 89-286, §8, Oct. 22, 1965, 79 Stat. 1036; Pub. L. 93-57, §1, July 6, 1973, 87 Stat. 140; Pub. L. 94-489, §3, Oct. 13, 1976, 90 Stat. 2358.)

REFERENCES IN TEXT

The Outer Continental Shelf Lands Act, referred to in subsec. (d), is act Aug. 7, 1953, ch. 345, 67 Stat. 462, as amended, which is classified generally to subchapter III (§1331 et seq.) of chapter 29 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1331 of Title 43 and Tables.

AMENDMENTS

1976—Subsec. (b). Pub. L. 94-489 substituted provision defining service employees to include all employees, but excluding bona fide executive, administrative, and professional employees, for provision defining service employees as guards, watchmen, any person engaged in a recognized trade or craft, or in unskilled, semiskilled, or skilled manual labor occupations; and any other employee including a foreman or supervisor in a position having trade, craft, or laboring experience as the paramount requirement.

1973—Subsec. (d). Pub. L. 93-57 defined “United States” to include Canton Island.

EFFECTIVE DATE OF 1973 AMENDMENT

Section 2 of Pub. L. 93-57 provided that: “The amendment made hereby [amending this section] shall be effective with respect to all contracts entered into at any time after the date of enactment [July 6, 1973].”

§ 358. Wage and fringe benefit determinations of Secretary

It is the intent of the Congress that determinations of minimum monetary wages and fringe benefits for the various classes of service employees under the provisions of paragraphs (1) and (2) of section 351¹ of this title should be made with respect to all contracts subject to this chapter, as soon as it is administratively feasible to do so. In any event, the Secretary shall make such determinations with respect to at least the following contracts subject to this chapter which are entered into during the applicable fiscal year:

(1) For the fiscal year ending June 30, 1973, all contracts under which more than twenty-five service employees are to be employed.

(2) For the fiscal year ending June 30, 1974, all contracts, under which more than twenty service employees are to be employed.

(3) For the fiscal year ending June 30, 1975, all contracts under which more than fifteen service employees are to be employed.

(4) For the fiscal year ending June 30, 1976, all contracts under which more than ten service employees are to be employed.

(5) On or after July 1, 1976, all contracts under which more than five service employees are to be employed.

(Pub. L. 89-286, §10, as added Pub. L. 92-473, §5, Oct. 9, 1972, 86 Stat. 790; amended Pub. L. 94-273, §29, Apr. 21, 1976, 90 Stat. 380.)

¹ So in original. Probably should be section “351(a)”.

AMENDMENTS

1976—Par. (5). Pub. L. 94-273 substituted “On or after July 1, 1976” for “For the fiscal year ending June 30, 1977, and for each fiscal year thereafter”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 353 of this title.

CHAPTER 7—OFFICE OF FEDERAL PROCUREMENT POLICY

Sec.

- 401, 402. Repealed.
- 403. Definitions.
- 404. Establishment of Office of Federal Procurement Policy; appointment of Administrator.
- 405. Authority and functions of the Administrator.
 - (a) Development of procurement policy; leadership.
 - (b) Government-wide procurement regulations.
 - (c) Noninterference with executive agencies.
 - (d) Enumeration of included functions.
 - (e) Consultation; assistance of existing executive agencies; advisory committees and interagency groups.
 - (f) Oversight of regulations promulgated by other agencies relating to procurement.
 - (g) Assignment, delegation, or transfer of functions prohibited.
 - (h) Real property procurement; Office of Management and Budget.
 - (i) Recipients of Federal grants or assistance.
 - (j) Policy regarding consideration of contractor past performance.
 - (k) Annual reporting requirement.
- 405a. Uniform Federal procurement regulations and procedures.
- 405b. Conflict of interest standards for individuals providing consulting services.
 - (a) Issuance of policy and regulations.
 - (b) Services subject to regulations.
 - (c) Report to Congress by Comptroller General on effectiveness of regulations.
 - (d) Intelligence activities exemption; annual report by Director of Central Intelligence.
 - (e) Adverse effect determination by President prior to issuance of regulations; report to Congressional committees; voiding of regulations requirement.
- 406. Administrative powers.
- 407. Repealed.
- 408. Applicability of existing laws.
- 409. Repealed.
- 410. Authorization of appropriations.
- 411. Delegation of authority by Administrator.
- 412. Comptroller General's access to information from Administrator; rule making procedure.
- 413. Tests of innovative procurement methods and procedures.
- 414. Executive agency responsibilities.
- 414a. Personnel evaluation.
- 415. Repealed.
- 416. Procurement notice.
 - (a) Covered executive agency activities; publication of notice; time limitations.
 - (b) Contents of notice.
 - (c) Exempted, etc., activities of executive agency.